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CONCORD, N.H.

Clifford W. Wells, M. D.
Director
Bureau of Communicable Disease Control
17 School Street
Concord, New Hampshire

Dear Dr. Wells:

This is in response to your letter of April 12th, wherein you request our opinion as to whether you may furnish certain information requested in a letter received from Louis E. Wyman, Esq. in Manchester. The letter inquires as to whether your Department has "any record of a polio case involving a child by the name of John Smart or John DeGuird".

It is the opinion of this office that such information may be furnished. Nothing in the statutes or to my knowledge in your regulations make these reports confidential. Certain statutory provisions make it improper to divulge specific health records (e.g. RSA 172:13 I, Alcoholism; RSA 137:3 Tuberculosis). In the absence of similar provisions relating to communicable diseases it must be concluded that these reports are not confidential and that you may, if you wish, divulge the information requested.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/T